



The Salisbury Planning Board held its regular meeting Tuesday, September 25, 2007, in the City Council Chamber of the Salisbury City Hall at 4 p.m. with the following being present and absent:

**PRESENT:** Dr. Mark Beymer, Robert Cockerl, Richard Huffman, Sandy Reitz, Jeff Smith, Valarie Stewart, Albert Stout, and Diane Young

**ABSENT:** Karen Alexander, Tommy Hairston, Craig Neuhardt, and Price Wagoner

**STAFF:** Preston Mitchell, Diana Moghrabi, and Joe Morris

The Planning Board started a work session and several members joined in after 4 p.m. Initially, there was not a quorum. Dr. Mark Beymer, Chairman, officially called the meeting to order at 5:45 p.m., when there was a quorum, to conduct business of the Board. The minutes of the September 11, 2007, meeting were then approved as submitted. A MOTION was made and approved at 5:50 p.m. to move past 6 o'clock. The work session resumed and the meeting was adjourned at 6:30 p.m.

In the interest of time, Legislative Committee A rescheduled their meeting for Tuesday, October 2, at 7:30 a.m. in the second floor conference room at City Hall. There was a discussion about inviting the Community Appearance Commission Sign Committee to attend this meeting, so they may receive video information staff will present. (The CAC has made a recommendation to the Planning Board to deny LED signs in Salisbury.) This meeting was later changed to Wednesday, October 3 at 7:30 a.m. in the same location.

#### Land Development Ordinance – Overview

The new code is a unified form-based development code. This is a method of coding that combines multiple regulatory documents, such as zoning, subdivision regulation, environmental protection, stormwater management, and infrastructure improvement into a single well-organized regulatory form. Form-based codes create a predictable public realm by placing more emphasis on physical form with a lesser focus on land use through specific, predictable regulations. The regulation of forms is more important as density and intensity increases. A transect is a method of classifying the natural and built environment. There will be 17 new districts as opposed to the current 31 districts.

The community vision speaks through the Salisbury Vision 2020 Comprehensive Plan. City Council adopted a council-level goal to draft a unified form-based code that implements the Vision 2020 Comprehensive Plan and ensures a predictable development process, small-town character, and community identity. The demographic shape of our country is not what it was 25-30 years ago.

Under the new code, Planning Board's job will be to look at and define broad areas, create small area plans, and to look at areas for corrective zoning.



## Zoning to Districts

It is going to be very important for the zoning (district) to be compatible with the development of property.

Open Space Preserve (OSP) (*Old PSP*), Rural Residential (RR) (*Old A-1*), General Residential (GR3) (*Old R-20 and R-15*), General Residential (GR6) (*Old R-8, RD-B, and SFC*), Urban Residential (UR8) (*Old R6*), Urban Residential (UR12) (*Old R6-A and RD-A*), Urban Residential – Preservation (UR-P), (*Old SFC & all residential zoning in both Local and National Historic Districts*), Residential Mixed-Use (RMX) (*Old R6-A, B-1, LOI, PSP, and HD-O*), Neighborhood Mixed-Use (NMX) (*Old B-CS and B-RT*), Corridor Mixed-Use (CMX) (*Old B-4 and B-6*), Downtown Mixed-Use (DMX) (*Old B-5*), Highway Business (HB) (*Old B-6 and B-7*), Light Industrial (LI) (*Old LLI-1 and M-1*), Heavy Industrial (HI) (*Old M-2*), Hospital Services (HS) (*Old HS and MED*), Institutional Campus (IC) (*Old CU and PSP*), Traditional Neighborhood Development (TND), OSP (PSP, Perm. Open Spaces)–This district is intended to protect areas that are permanently preserved in government ownership or conservation easements as natural and/or environmentally significant lands. Such areas include rural parks, wetlands, and areas placed in a conservation easement.

Handouts of case studies were distributed; these sample cases served as mock site plan reviews using the proposed land development code. Preston used these cases to open engaging discussions on various aspects of the new code.

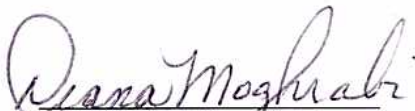
- Planning Board discussed the authority of the Zoning Board of Adjustment. They had concerns regarding page 14-3.e, “To change the use of or expand certain non-conformities.” Preston will check with Rich Ducker at the School of Governments about the wording.
- National Pollutant Discharge Elimination System – **NPDES** is part of Chapter 6. This is essentially a copy of a state model ordinance Salisbury has to adopt. The local level is becoming the monitor and does not currently have the wherewithal to pay for it. (i.e. a rain tax) Patrick Ritchie will be the administrator.
- Payment in lieu (sidewalks) could build one of three things: (1) 100 percent payment of lieu, (2) equivalent linear footage elsewhere within the benefit zone, (3) a combination thereof. A non-financial hardship would have to be proven for payment in lieu.
- The proposed code extends preliminary plat approvals by one year (they are proposed to be good for three years).
- Existing GDA Overlays will remain in place until there is a petition to remove it or make changes, but new GDAs will not be created. Fixed Overlay Districts (historic, Innes St. Gateway, watershed protection) will remain the same. Manufactured Overlay Districts will have to become CDs.
- The new code regulates parking maximums while the current code currently regulates minimums.

- Gated communities and private streets are expressly prohibited in the new code.
- Subdivisions
  - Minor Subdivision
  - Maximum four lots on existing street
  - Not involving a new street
  - Not requiring extension of utilities
  - Administrator approval authority
- Major Subdivision
  - Any subdivision that is not an exception or minor subdivision
  - TRC approval authority of preliminary plat
- Quasi-Judicial Actions
  - Appeals
  - Variances
  - Special Use Permits
- Legislative Actions
  - Text Amendments
  - Map Amendments (Rezoning “Redistricting”)
  - Conditional Districts
- CD’s (Conditional Districts)
  - All current S-District Rezoning
  - No minimum area required
  - Not an alternative variance; instead, accommodates innovative design/market expectations
  - Specific sections of LDO “black-out” for alternative design
- TRC approval authority (Technical Review Committee)
  - Subdivisions
  - Exception plat subdivision
  - (Re)Combination of previously-subdivided lots
  - Subdivision into > 10 acres and no street

**Connectivity Index, Section 9.8, page 9-15.** Planning Board requested staff to include diagram (circle=links, star=nodes, C=connections to existing streets) with word for easy reference.

  
Dr. Mark Beymer, Chair

  
Diane Young, Vice Chair

  
Secretary, Diana Moghrabi